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BILL KITCHEN
980 LAKE RUN CIRCLE
WESTERVILLE OH 43081

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OFFICE OF PETITIONS

In re Application of
Bill Kitchen et al.
Application No. 09/820,804
Filed: March 30, 2001
Title of Invention: **ELECTRONIC BILL
PRESENTMENT WITH BILL
CATEGORIZATION**

ON PETITION

This is in response to the petition under 37 CFR 1.47(a) filed July 11, 2001.

The petition is **DISMISSED** as involving moot issues.

A Notice to File Missing Parts was mailed May 10, 2001 as the application was filed without an oath or declaration. In accordance with 37 CFR 1.63(d), petitioner has submitted a copy of the executed oath or declaration filed in Application No. 09/034,561, filed on March 3, 1998, of which the instant application is a continuation. Furthermore, a copy of the decision, mailed January 18, 2002, granting a petition to accord § 1.47(a) status to the prior application has been placed in the file of the present application.

As Rule 1.47(a) status was granted in the prior application, this application is hereby accorded Rule 1.47(a) status.

As no petition is necessary to accord Rule 1.47(a) status in this application, the petition is dismissed as involving moot issues. As no petition fee is necessary, no petition fee has been charged. However, the surcharge for late filing of an oath or declaration has been properly remitted and properly applied.

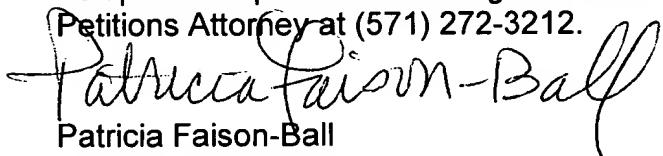
As provided in Rule 1.47(c), since notice was provided after the grant of Rule 1.47(a) status in the prior application, the Office is dispensing with the notice provision in this continuation application.

Furthermore, this decision is being mailed to the first named inventor with a courtesy copy to SUTHERLAND ASBILL & BRENNAN LLP. While a petition to withdraw as attorney of record was filed by Antonellie, Terry, Stout and Kraus on June 24, 2005 and while a power of attorney was filed on July 20, 2005 and signed by VP and General Counsel Laura Binion, the most recent Power of Attorney is rejected because it does not include a statement under 37 CFR 3.73(b). The putative assignee has not

established its right to take action in accordance with 37 CFR 3.73(b). Specifically, petitioners have not provided documentary evidence of a chain of title from the original owner to the assignee, nor shown that documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (i.e. reel and frame number) and thus has no right to grant the power of attorney to SUTHERLAND ASBILL & BRENNAN LLP.

After this decision is mailed, the matter will be referred to Technology Center 3624 for further examination in due course.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.



Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

cc:

SUTHERLAND ASBILL & BRENNAN LLP
999 PEACHTREE STREET, N.E.
ATLANTA, GA 30309